



There was never any real investigation when President John F. Kennedy was assassinated 25 years ago. All official efforts aimed at making it seem possible that a lone, alienated young man, Lee Harvey Oswald, was the assassin. Now there is no likelihood of any when there are no leads to follow.

I've spent these 25 years not pursuing a whodunit but in a large study of how the basic institutions of our society worked in that time of great stress and since then. Making extensive use of the Freedom of Information Act, about a third of a million pages of government records are no longer secret.

In 1974 Congress amended the Act over one of my suits. This opened up FBI, CIA and other dirty-works records.

I persevered - I made the system work, the theory I was taught some 60 years ago - but that was not news. It was entirely unreported.

My conclusion after this large inquiry is that all our basic protections failed, then and since then. I believe this endangers our system of self-government that, for all its faults, is the best man has yet devised.

To me, the assassination of a president is the most subversive of crimes, whatever the desire of the assassins and whoever they may be. It negates representative society.

Instead of providing critical examination, the major elements of the press vied in praising all official failures. Then, as soon as there were private citizen criticisms, we were assailed by the major media when we were not ignored.

The late FBI Director J. Edgar Hoover boasted of his instant vision: he "knew" that very day, before the corpse was back in Washington, that the assassin was a lone, alienated man. ^{This} It is duly recorded in those 40 file cabinets of formerly suppressed records I make available to anyone. He also boasted that he seized the case when he had no jurisdiction, no legal right to do so.

Two days later, as soon as Lee Harvey Oswald was gunned down, the acting attorney general, Nicholas deB Katzenbach, spelled out policy in a memo to the

new President:

"The public must *be* satisfied that Oswald was the assassin; that he did not have confederates who are still at large; and that the evidence was such he would have *been* convicted at trial." This, mind you, *before* any real investigation was possible.

The FBI decision not to *beat* the *bushes* with Oswald the *bird* in hand was instant in the field offices, too. On the day of the assassination a nearby police department phoned a "lead" of prior threats to the Dallas FBI office. The supervisor decided, "Not necessary to cover as true *subject* located."

This decision was made *before* Oswald was even charged with the crime. This memo was typed, annotated, with files searched and relevant ones identified, was indexed and then even ^Afiled *before* Oswald was charged with the crime!

According to a tickler released under FOIA, the assistant director in charge of the General Investigative division characterized the FBI investigation as "standing with pockets open waiting for evidence to drop in."

According to the same record, which admits an "adversary relationship" with the Warren Commission, Hoover was able to block Chairman Earl Warren's choice for his commission's general counsel.

Hoover also had the FBI prepare "dossiers on staff and members of the Commission. ~~After~~ the Commission's Report was out the FBI prepared new dossiers on the staff.

Once there were private citizen critics, the FBI began "preparation of sex dossiers on critics of *probe*."

To a large degree the Commission was aware of what the FBI was up to. It lived in terror of Hoover.

The Commission held a series of executive sessions from which even its staff was *barred*. It classified the transcripts as "Top Secret" when it had no authority to classify anything at all. I sued under FOIA and only one of these transcripts is still suppressed. When it could no longer ignore *published*

reports that Oswald had had some kind of ~~official~~ ^{official} connection, it held a hurried executive session January ²², 1964. This was early in its life, before the staff was complete, before the first hearing was held.

"If this ever came out and could be established," General Counsel J. Lee Rankin told the Commission about these reports, "then you would have people think that there was a conspiracy to accomplish this assassination that nothing the Commission did or anybody could dissipate" [sic].

The nation expected the Commission to investigate honestly and fully, not to decide without any investigation that there had been no conspiracy.

Expecting perpetual secrecy, Rankin and the Commission were honest among themselves, as they were not, obviously, in their work in which they avoided all evidence not consistent with their lone nut preconception.

Also on January 22 Rankin informed the commission that the FBI had concluded there had been no conspiracy although "they have not run out all kinds of leads" indicating a conspiracy. If the Commission said anything, he added, the FBI "could probably say - that it isn't our business."

Commissioner Hale Boggs agreed and then said, "I don't even like to see this being taken down." Commissioner and former CIA Director Allen Dulles agreed: "Yes. I think this record ought to be destroyed." This was agreed to but the stenotypist's tape escaped the memory hole. After I established its existence under FOIA, this transcript was prepared for me.

The major media has had no interest in this and so many other revelations of how utterly our basic protections failed the nation then and since then. This endangers the system itself. It requires an informed electorate. Yet most of what we resurrected from oblivion might just as well remain suppressed so far as most of the nation is concerned because it was unreported.

What gets attention is ugly exploitation such as we now are seeing and hearing, idle but titillating conspiracy theories that mislead and misinform. And more assaults on the few of us who have undertaken to meet the responsibilities

shunned by the major media.

What also got and gets attention is the numerous and always angled leaks often the reward for journalistic silence.

Fighting to end official suppression has required facing determined official stonewalling, lengthy FOIA litigation. It has been characterized by official perjury and fraud so commonplace the government agencies don't even bother to deny these offenses in the court record. In these offenses, felonies to others, federal agents are immune because they serve the prosecutor who does not prosecute himself. Thus, information relating to the alleged investigation of the assassination of our President continues to be suppressed.

When in the case over which Congress amended the Act we proved that an FBI agent had sworn in direct contradiction of himself, clearly perjury because it was that material, the judge actually threatened my counsel and me instead of seeing to it that justice was done and protecting the integrity of his own court.

Under the law conspiracy is a combination to do wrong and at least one step in pursuance. This means that if the assassination of the President was beyond the capability of any one man, as without reasonable question, from the misused and misrepresented official evidence itself it was, then there was a conspiracy.

Our government on all levels knew this and lied about it to us and to the world. That this could be done with impunity is a Damoclean sword hanging over the head of any president faced with making a decision he knows can be unpopular.

Entirely separate is who conspired. In the absence of any real contemporaneous official investigation 25 years ago, it now is impossible for private persons to do what our government refused to do.

However, we can and we should investigate how our basic institutions functioned - or failed to function - then and since then so that we not again suffer so great an additional and unnecessary tragedy; so that we may recapture our integrity lost in all the years of official lying and other official miscon-

duct; and so that nothing like it ever again happens. Assassination cannot be prevented but it ought never again be lied about.